

## 220 CMR 272.00: RATES FOR THE TOWING OF MOTOR VEHICLES

### Section

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#### 272.01: Definitions

COMMERCIAL MOTOR VEHICLE means a motor vehicle or combination of motor vehicles used to transport passengers or property. This will include: a bus or van used in commerce, having the manufacturer's rated seating capacity of at least nine passengers and a driver, a truck used to transport property, or any other vehicle which may display a plate other than a passenger or motorcycle plate.

PASSENGER AUTOMOBILE means a motor vehicle capable of transporting not more than eight passengers and a driver displaying a passenger or motorcycle plate.

SERVICE VEHICLE means the vehicle used to tow or transport the disabled vehicle.

SERVICE AND/OR WAITING TIME means elapsed time the Service Vehicle is waiting to provide service at the scene, winching and/or utilizing Service Vehicle equipped industry standard tools or equipment.

#### 272.02: Application of Maximum Charges

Rates stated herein are not intended to apply to towing which results from a call made by a police officer or other public employee at the request of the owner/operator to transport the vehicle to a location other than the carrier's garage.

If, at the scene, the owner/operator should request that the vehicle be transported to a location other than the carrier's garage, the maximum tow rate may not apply.

#### 272.03: Maximum Charges and Notes

Maximum rates and charges for the towing and transportation of motor vehicles when said transportation is ordered by the police or other public authority pursuant to M.G.L. c. 159B, § 6B or for trespass pursuant to M.G.L. c. 266, § 120D.

## TABLE 1

### TRANSPORTATION OF PASSENGER AUTOMOBILES, MOTORCYCLES, MOTOR BIKES, MOTOR SCOOTERS

The charges established by 220 C.M.R. 272.00 are uniform regardless of day of week or time of day. The maximum charge for towing up to five miles under Table 1 may not exceed \$90.00 which includes one hour of Service and/or Waiting Time to be computed from the time of arrival at the scene. (If service exceeds one hour refer to Note 1. The use of Note 1, however, for a trespass tow or snow removal tow is prohibited.) A surcharge per mile of \$3.00 is established for miles towed in excess of five miles.

#### Up to Five Miles: MAXIMUM CHARGE OF \$90.00 PER TOW

All passenger automobiles, motor cycles, motor bikes, motor scooters and all vehicles capable of being transported by crane and dolly or on a ramp truck.

#### Rate per Mile Over Five Miles: \$3.00 per mile

When additional labor is required and supplied; and is necessary to remove the disabled vehicle from the scene; or is required by the police or other public authority, the following charge will apply:

#### Rate per Man Hour: \$32.00 or any fraction thereof.

Additional labor is to be computed from time of leaving the carrier's garage until return thereto.

Minimum Charge – One hour.

### ADDITIONAL CHARGES

If the carrier has to employ any extraordinary or additional services outside of its capabilities (renting cranes, bulldozers, specialized labor, *etc.*) the maximum charge will be exactly equal to those charges which have been levied by the outside organization on the tow carrier.

NOTES 1, 2, 3, 4, 5, and 6 apply.

TABLE 2  
(COMMERCIAL MOTOR VEHICLES ONLY)

Rates and charges shown herein apply only to the towing of the commercial motor vehicle. Those services necessary to the recovery of a disabled commercial motor vehicle shall be established by the tow company. The term "Recovery" will include, but not be limited to, the following services: Wrecker working, winching, waiting time, clean up time and the provisions of special equipment needed to place the disabled commercial vehicle in position to be towed.

Commercial Motor Vehicles

Up to Five Miles: Maximum Charge of \$90.00 per Tow

Rate per Mile Over Five Miles: \$4.25 per mile

NOTES 2, 3, and 6 apply.

NOTES

NOTE 1. A \$35.00 per half-hour per vehicle charge may be assessed after one hour at the scene when necessary to remove the disabled vehicle; or if requested by police or other public authority. Starting and ending time must be recorded on the tow slip. **THIS CHARGE SHALL NOT APPLY TO TRESPASS TOWS OR SNOW REMOVAL TOWS.**

A \$90.00 per additional service vehicle charge will apply if an additional service vehicle(s) is required. Starting and ending time must be recorded on the tow slip. Time will be computed from the time the service vehicle is dispatched until it returns to the carrier's garage or is back in service. A \$35.00 per half-hour per vehicle charge may be assessed after one hour when necessary to remove the disabled vehicle(s); or if requested by the police or other public authority. **THIS CHARGE SHALL NOT APPLY TO TRESPASS TOWS OR SNOW REMOVAL TOWS.**

NOTE 2. Disposition of mileage fractions: Omit fractions of less than 5/10, and increase fractions of 5/10 or more to the next whole figure.

NOTE 3. Mileage is based on round trip mileage from garage to return thereto. The carrier will establish mileage from the service vehicle odometer and must include the odometer readings on the tow slip.

If the service vehicle is dispatched from other than carrier's garage and travels to destination, the one-way mileage will be doubled.

NOTE 4. When more than one vehicle is transported on the service vehicle and the origin and destination is within the same city, the UP TO FIVE MILE charge will apply to each vehicle transported.

NOTE 5. When more than one vehicle is transported on a service vehicle between cities or towns and a mileage charge would result in a charge greater than the UP TO FIVE MILE charge, the mileage charge will be computed according to the MILO MILEAGE GUIDE and then doubled to arrive at the round trip mileage.

NOTE 6. The customer is required to pay all toll charges.

#### REGULATORY AUTHORITY

220 CMR § 272.00: M.G.L. c. 159B, § 6B; c. 266, § 120D